

# STATE OF NEW YORK

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5394

2023-2024 Regular Sessions

## IN SENATE

March 3, 2023

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Introduced by Sens. HARCKHAM, HELMING, WEIK -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the military law, in relation to the issuance of a New York State Iraq War Commemorative Medal

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 1-d of section 247 of the military law, as  
2 added by chapter 583 of the laws of 2022, is renumbered 1-e and a new  
3 subdivision 1-f is added to read as follows:

4 1-f. The governor is hereby authorized to present in the name of the  
5 legislature of the state of New York, a medal, to be known as the "New  
6 York State Iraq War Commemorative Medal", bearing a suitable  
7 inscription, to any person: (i) who is a resident of the state of New  
8 York; or (ii) who was a resident of the state of New York while serving  
9 in the armed forces of the United States; (iii) who served in the United  
10 States Armed Forces, defined as army, air force, navy, marine corps, or  
11 coast guard, or the organized militia defined as the army national  
12 guard, the air national guard, the New York naval militia, or the New  
13 York guard, on active duty abroad in Iraq during the period of March  
14 twentieth, two thousand three through December eighteenth, two thousand  
15 eleven; and (iv) who was honorably discharged or released under honor-  
16 able circumstances or who has a qualifying condition, as defined in  
17 section three hundred fifty of the executive law, and received a  
18 discharge other than bad conduct or dishonorable discharge, or is a  
19 discharged LGBT veteran, as defined in section three hundred fifty of  
20 the executive law, and received a discharge other than bad conduct or  
21 dishonorable discharge. No person shall receive more than one New York  
22 State Iraq War Commemorative Medal. In the event of the death of any  
23 eligible person prior to the receipt of such commemorative medal, such  
24 commemorative medal shall be presented to the designated representative

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 of the deceased. The adjutant general, in consultation with the direc-  
2 tor of the division of veterans' services, shall make such rules and  
3 regulations as may be deemed necessary for the proper presentation and  
4 distribution of such medals.

5 § 2. Subdivision 4 of section 247 of the military law, as separately  
6 amended by chapters 582 and 583 of the laws of 2022, is amended to read  
7 as follows:

8 4. This section shall not be construed to require that a recipient of  
9 the conspicuous service cross, the conspicuous service star, the Cold  
10 War Certificate, the New York State Silver Rose Veterans Service Certif-  
11 icate, the New York State Iraq War Commemorative Medal or the New York  
12 State Vietnam War Commemorative Medal or the New York State Korean War  
13 Commemorative Medal has been a resident of the state of New York at the  
14 time of his or her entry into the United States army, air force, navy,  
15 or marine corps.

16 § 3. This act shall take effect on the one hundred twentieth day after  
17 it shall have become a law; provided, however, that if chapters 582 and  
18 583 of the laws of 2022 have not taken effect on or before such date  
19 then section two of this act shall take effect on such date and in the  
20 same manner as such chapters of the laws of 2022 takes effect. The divi-  
21 sion of military and naval affairs is authorized to promulgate any and  
22 all rules and regulations and take any other measures necessary to  
23 implement the provisions of this act on its effective date on or before  
24 such date.